

United States District Court
Southern District of Texas
FILED

FEB 22 2011

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Rebecca Pantoja

DOB: 1991

Citizen of United States

Carlos Padilla

DOB: 1977

Citizen of United States

CRIMINAL COMPLAINT

Case Number:

11-0344-M

I, Cesar E. Robles, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about February 21, 2011 In Hidalgo County, in
(Date)
the Southern District of Texas Defendant(s) did,

Knowingly and intentionally possess with the intent to distribute, approximately 7.8 kilograms of heroin, a Schedule I controlled substance

in violation of Title 21 United States Code, Section(s) 841 (a)(1).

I further state that I am a(n) Special Agent And that this complaint is based on the
Official Title
following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

CR
Signature of Complainant

Cesar E. Robles, ICE
Printed Name of Complainant

Sworn to before me and signed in my presence,

February 22, 2011
Date

at

McAllen, Texas
City and State

U.S. Magistrate Judge Peter Ormsby
Name and Title of Judicial Officer

Peter Ormsby
Signature of Judicial Officer

Attachment "A"

On February 21, 2011, at approximately 3:40 p.m., Carlos PADILLA, a citizen of the United States, and Rebecca PANTOJA, a citizen of the United States, applied for admission to the United States through the Hidalgo Port of Entry (POE) in Hidalgo, Texas. PADILLA was driving a white KIA Rondo Minivan displaying Illinois license plate A908782. PADILLA and PANTOJA were accompanied by a large dog in the back seat of the Minivan. In primary inspection, PADILLA stated they were coming from Puebla, Mexico after visiting family for approximately one month. Customs and Border Protection (CBP) Officer C. Perez, at primary inspection, obtained a negative declaration from PADILLA. CBP Officer Perez then referred the vehicle to secondary for further inspection due to the subject's itinerary.

In secondary inspection, CBP officer E. Jimenez obtained a second negative declaration from PADILLA. PADILLA stated they were traveling from Puebla, Mexico where they were visiting family for approximately a month on vacation. PADILLA stated they were currently en-route to Chicago, Illinois. A non-intrusive VACIS Gamma Ray inspection was conducted of the vehicle yielding positive results for anomalies in the back seat of the vehicle.

An inspection of the back seat was conducted by CBP Officer Jimenez where packages wrapped in brown tape were discovered. Seven packages were removed from the back seat of the vehicle weighing approximately 7.8 kilograms as per CBP scale. A brown powdery substance was tested using the narcotics identification system, NIK, yielding a positive result for the properties of brown heroin.

At approximately 5:13 p.m., on February 21, 2011, PANTOJA waived her Miranda Rights and agreed to be interviewed by ICE Special Agents Cesar Robles and ICE Special Agent Chris Villarreal. During the interview, PANTOJA stated she had met two brothers named Arturo PADILLA and Carlos PADILLA in Chicago where they are all from. PANTOJA stated that they told her that having a female with them while crossing into the United States made it easier to cross without being inspected. PANTOJA stated she had previously crossed with Arturo PADILLA into the United States approximately 3 to 4 times and was paid \$3000.00 for those crossings. PANTOJA stated that she was to be paid \$1500.00 to cross with Carlos PADILLA on February 21, 2011, at the Hidalgo POE. PANTOJA claims to not knowing the type of narcotics being transported, but assumed it was marijuana. She claims that Arturo PADILLA stated to her that they (Arturo and Carlos) had a lot of marijuana in Chicago.

At approximately 7:43 p.m., on February 21, 2010, Carlos PADILLA was read his Miranda Rights and invoked his right to remain silent. Carlos PADILLA is the registered owner of the white KIA Rondo Minivan that he was driving with the narcotics hidden in the back seats.